

**Reference:** FOI.ICB-2223/130

**Subject:** Primary Care Rebates

*I can confirm that the ICB does hold the information requested; please see responses below:*

QUESTION	RESPONSE		
<p>I would be grateful if you could confirm for which products you have a primary care rebate in place, when the agreement commenced and the end date.</p>	<b>Product brand name</b>	<b>Start date</b>	<b>End date</b>
	Adcal D3	01/04/2018	Until termination
	Apidra	01/04/2022	31/03/2023
	BD Viva	Company deems start dates/end dates/term as commercially sensitive	
	Butec	01/04/2021	31/03/2023
	Buvidal	01/07/2021	31/12/2023
	Clenil	01/07/2022	30/06/2024
	Clexane	01/04/2022	31/12/2022
	Dalonev	01/05/2021	31/03/2023
	Espranor	01/01/2022	31/12/2023
	Fostair NEXThaler	01/07/2022	30/06/2024
	Fostair pMDI	01/07/2022	30/06/2024
	FreeStyle Libre	01/09/2022	31/08/2023
	Gatalin XL	01/12/2022	30/11/2023
	Glucophage	01/07/2022	30/06/2024
Insuman	01/04/2022	31/03/2023	

Longtec	01/10/2021	Until termination
NovoRapid	01/08/2021	31/07/2023
Onglyza	Roll on of pre-merge agreements	Until termination
Pipexus	01/11/2019	Until termination
Prostap	Company deems start dates/end dates/term as commercially sensitive	
Solaraze	01/12/2019	30/11/2023
Stexerol	01/10/2018	Until termination
Strivit	01/04/2021	31/03/2024
Vizidor & Vizidor Duo	01/01/2022	31/12/2023
Xaggitin	01/04/2018	Until termination
Zacco	01/07/2022	30/09/2023
Zaluron XL	01/04/2018	31/05/2023
National procurement for direct acting oral anticoagulants (DOACs)	01/01/2022	31/03/2024

The ICB has applied Section 43(2) to the start and end dates of the rebate schemes for BD Viva and Prostap.

Section 43(2) exempts from disclosure information which would, or would be likely to, prejudice the commercial interests of an organisation. The contracts relating to BD Viva and Prostap include a clause which outlines the start date, end date and term as commercially sensitive. The contract holder has confirmed that the

information is considered commercially sensitive and provided their reasoning. The ICB has considered this information when applying the public interest test to the exemption.

The public interest arguments in favour of disclosing information include the ICB's responsibility to be transparent and accountable in its decision making. The ICB policy for Sponsorship of Activities by and Joint Working with the Pharmaceutical Industry outlines the values the ICB adheres to when working with the pharmaceutical industry and this includes the principle for the ICB to promote confidence between staff, patients and the public through transparency of NHS activities. The policy also outlines that information relating to rebate schemes is disclosable under the FOI Act and only information considered commercially sensitive should be redacted.

The public interest arguments in favour of maintaining the exemption include the contract clause noting the information as commercially sensitive and the subsequent confirmation of this from the contract holder and their reasoning for why they consider the information commercially sensitive. Rebate schemes allow organisations to offer a financial rebate to the ICB and these schemes are considered on clinical, financial and contractual grounds and will only be considered if the medicines are appropriate and of value to the ICB population. The ICB has considered that disclosure of the information may lead

	<p>to the contract holder not offering this type of scheme again which may result in the ICB having to spend more public funds on prescribing. The ICB has a responsibility to secure the best use of public resources and provide value for money.</p> <p>The ICB has considered the balance of both disclosing the information and maintaining the exemption and believes that it is in the public's best interest to apply the exemption. The ability for organisations to offer rebate schemes to the ICB reduces the amount of public funding used for prescribing and allows for the more effective use of resources to ensure that the ICB achieves value for money.</p>
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***The information provided in this response is accurate as of 8 December 2022 and has been approved for release by Rosi Shepherd, Chief Nursing Officer for NHS Bristol, North Somerset and South Gloucestershire ICB.***